

KASSON TOWNSHIP
LEELANAU COUNTY

ORDINANCE NO. 2018-01

AMENDMENT TO THE KASSON TOWNSHIP ZONING ORDINANCE

AN ORDINANCE TO AMEND THE KASSON TOWNSHIP ZONING ORDINANCE

- CHAPTER 7, SECTION 7.7 E, TO CLARIFY THE BASIS FOR DETERMINATION OF SPECIAL USE PERMITS, AND
- CHAPTER 7, SECTION 7.5 A AND CHAPTER 4, SECTION 4.11.6 TO CLARIFY THAT APPLICANTS MUST DEMONSTRATE THAT ALL STANDARDS OF THIS ORDINANCE ARE MET BY PROCURING AND PRESENTING ADEQUATE PROFESSIONAL EXPERT TESTIMONY AS MAY BE REQUIRED, AND
- CHAPTER 4, SECTION 4.5.3 TO REMOVE A REFERENCE TO A SPECIAL USE PERMIT AND ADD LANGUAGE REGARDING PERMITTED DENSITY THAT IS CONSISTENT WITH OTHER EXISTING SECTIONS IN CHAPTER 4.

KASSON TOWNSHIP HEREBY ORDAINS:

Section 1. AMENDMENT OF ZONING ORDINANCE

The Kasson Township Zoning Ordinance is hereby amended in the following manner:
TEXT ADDITION – shown as bold, italics, all caps, Deletions – shown as strikethrough, bold, italics.

Section 2. CHAPTER 7 – SPECIAL LAND USES and SPECIAL LAND USE PERMIT REQUIREMENTS; SECTION 7.7.E is amended as follows:

- E. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by fumes, glare, noise ~~or odors~~ , ***ODORS, OR DUST.***

Section 3. CHAPTER 7 – SPECIAL LAND USES and SPECIAL LAND USE PERMIT REQUIREMENTS; SECTION 7.5 DATA REQUIRED is amended by adding a new number eight (8) after number seven (7) in Section 7.5.A. as follows:

- 8. ***APPLICANTS MUST CLEARLY DEMONSTRATE THAT ALL STANDARDS OF THIS ORDINANCE, INCLUDING THOSE IN SECTION 7.7 - BASIS FOR DETERMINATION, HAVE BEEN MET. IT IS SOLELY THE RESPONSIBILITY OF THE APPLICANT TO PROCURE AND PRESENT ADEQUATE PROFESSIONAL EXPERT TESTIMONY AND/OR OTHER INFORMATION, AS MAY BE REQUIRED BY THE PLANNING COMMISSION DURING THE REVIEW OF THE APPLICATION, DESCRIBING THE METHODS, PROPOSED CONDITIONS, AND SAFEGUARDS THAT ARE TO BE PUT INTO PLACE TO SATISFY ALL APPLICABLE STANDARDS.***

Section 4. CHAPTER 4 – DISTRICT REGULATIONS; SECTION 4.11 PLANNED DEVELOPMENTS (PD), SECTION 4.11.6 CONCEPTUAL DEVELOPMENT PLAN:

APPLICATION REQUIREMENTS is amended by adding a new subsection “G” after subsection “F” in Section 4.11.6 as follows:

- G. ***APPLICANTS MUST CLEARLY DEMONSTRATE THAT ALL STANDARDS OF THIS ORDINANCE HAVE BEEN MET. IT IS SOLELY THE RESPONSIBILITY OF THE APPLICANT TO PROCURE AND PRESENT ADEQUATE PROFESSIONAL EXPERT TESTIMONY AND/OR OTHER INFORMATION, AS MAY BE REQUIRED BY THE PLANNING COMMISSION DURING THE REVIEW OF THE APPLICATION, DESCRIBING THE METHODS, PROPOSED CONDITIONS, AND SAFEGUARDS THAT ARE TO BE PUT INTO PLACE TO SATISFY ALL APPLICABLE STANDARDS.***

Section 5. CHAPTER 4 – DISTRICT REGULATIONS; SECTION 4.5.3 DEVELOPMENT STANDARDS is amended as follows:

- A. Minimum parcel size: Five (5) acres, ~~or as specified in a project for which a Special Use Permit has been secured.~~ ***OR ONE DWELLING UNIT PER FIVE (5) ACRE DENSITY, WITH SEVENTY (70%) PERCENT PERMANENTLY PRESERVED UNBUILT RESERVED LAND IN ACCORDANCE WITH SECTION 4.11, PLANNED DEVELOPMENT.***

Section 6: Effective Date

This Ordinance shall become effective thirty (30) days after publication in accordance with law.

At a regular meeting of the Township Board for Kasson Township held on the 13th day of March, 2018, R. Noonan moved for adoption of the foregoing ordinance and Cruz supported the motion.

Voting for: Cruz, Julian, R. Noonan, Carter

Voting against: None

Absent: B. Noonan

The Township Supervisor declared the ordinance adopted.

/s/ Gregory Julian

Gregory Julian

Township Supervisor

CERTIFICATION

The foregoing is a true copy of Ordinance No. 2018-01 which was enacted by the Township Board for the Kasson Township at a regular meeting held on March 13, 2018.

/s/ Traci J. Cruz

Traci J. Cruz

Township Clerk